

## CHAPTER 43.

An Act to Incorporate the Hamline University of Minnesota.

March 3, 1854.

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Be it enacted by the Legislative Assembly of the Territory of Minnesota, That there be established at some point on the Mississippi, within this Territory, as hereinafter designated, an institution by the name of the "Hamline University of Minnesota," and that David Brooks, John Kerns, Chauncey Hobart, Samuel C. Thomas, Willis A. Gorman, Thomas M. Fullerton, Matthew Sorin, Merritt Allen, Benjamin F. Hoyt, Parker Pain, W. H. Woodbury, Hart Boughton, Alexander Ramsey, William Freeborn and Ira Bidwell, and such persons as shall be elected by the Wisconsin Annual Conference of the Methodist Episcopal Church, (or such Conference as may be formed out of said Wisconsin Conference, in the bounds of which the said institution may be located,) to succeed them, their associates, and successors in office, be and they are hereby created a body politic and corporate, to be styled the "Trustees of the Hamline University of Minnesota," and shall be trustees of said corporation for the purpose of further establishing, maintaining and conducting an institution of learning for the education of youth of both sexes; and by the aforesaid corporate name to remain in perpetual succession, with full power to sue and be sued, to plead and be impleaded, to acquire, hold and convey property, real, personal and mixed, in all lawful ways: *Provided, always,* That the annual income shall not exceed sixty thousand dollars; to have and to use a common seal, and to alter the same at pleasure; to make and alter, from time to time, such by-laws as they may deem proper and necessary for the government of said institution, its officers and agents: *Provided,* Such by-laws are not inconsistent with this act, or the Constitution and Laws of the United States, or of this Territory, and also have power to confer on such person or persons, as they may deem worthy, all honors and degrees as are usually conferred by the most learned institutions in the United States.

Corporate name and powers,

Sec. 2. There shall, at all times, be fifteen trustees of said corporation, four of whom shall be members of the Wisconsin Annual Conference of the Methodist Episcopal Church, (or such conference as may be formed out of said Wisconsin Conference, in the bounds of which the said institution may be located,) together with a board of visitors, to be composed and appointed as hereinafter provided.

Number of Trustees.

Sec. 3. No religious tenet shall be required of any person to entitle him or her to all the privileges of the institution: and no student shall be required to attend the religious worship of any particular denomination except as specified by the student, his parents or guardian.

No religious test required.

Location.

SEC. 4. The said University shall be located on the Mississippi, between St. Paul and Lake Popin, at such place as the trustees shall elect, and shall be erected on a plan sufficiently extensive to afford ample facilities to perfect the scholar; *Provided*, That at no time, shall the trustees be required to exceed the means under their control, as trustees.

First meeting of Trustees.

SEC. 5. The board of trustees shall hold their first meeting at St. Paul, within six months after the passage of this act: *Provided*, That if a quorum shall fail of meeting, the members present shall have the right to organize and adjourn to such place and time as they may deem proper, to secure a quorum of the board; who shall have power to elect a President of the board, two Vice-Presidents, a Treasurer, Secretary, and such officers when elected, shall constitute an executive committee, and as such committee, shall have power to execute all business of the corporation committed to them by the by-laws of the institution.

Treasurer to give bonds.

SEC. 6. The Treasurer, before entering upon the duties of his office, shall give bond in such penal sum as the trustees shall direct, and with such sureties as they shall by vote approve, conditioned for the faithful performance of his duties, and the delivery to his successor at the expiration of his office, all funds and other property and papers in his possession belonging to said University: and all other officers and agents, before entering upon their duties, shall give like bonds, if required by the board of trustees.

Suits—how brought.

SEC. 7. All suits against said corporation shall be by summons, which shall be served by leaving an attested copy of the same with the President or Treasurer, at their office, at least twenty days before the return thereof.

Division of Trustees.

SEC. 8. At the first meeting legally called and holden, the trustees shall be divided by lot into four classes of four each, in the first three classes, and of three in the fourth class,—which classes shall be numbered one, two, three and four. Class numbered one shall hold their office until the first annual meeting of the trustees; class numbered two shall hold their office until the second annual meeting; class numbered three shall hold their office until the third annual meeting, and class numbered four shall hold their office until the fourth annual meeting, and until their successors are elected. The trustees at their first meeting, shall designate the time and place of their first and future annual meetings, which shall in no case be altered, except by a vote of two-thirds of the trustees present at any regular meeting.

Who shall employ teachers.

SEC. 9. The trustees shall have authority to appoint and employ all officers, teachers and agents for the institution; and shall have power to displace any or all of them, as the interests of the institution may require; to fill vacancies which may happen by death, resignation or otherwise, among said officers, teachers and agents. All elections of trustees, president of the University, professors, officers and agents, shall be by ballot.

Vacancies filled—how.

SEC. 10. This institution shall be under the patronage of the Wisconsin Annual Conference of the Methodist Episcopal Church, (or of such conference as may be formed out of the Wisconsin Conference, in the bounds of which the said institution may be located,) and the said conference shall annually at its annual session, fill all vacancies of the trustees, occasioned by the provisions of sections 8 and 12 of this act, who shall hold their office for the term of four years from the time of such vacancies, and until their successors are elected—and shall also at its annual session elect by ballot,

Power of Trustees.

seven suitable persons, members of its own body, visitors to said University, who shall ex-officio be members of the board of trustees, and have the right to vote on all questions that may come before them, and who shall attend the examination of the students; look into the condition of the institution and report thereon to the next session of said Conference.

SEC. 11. The trustees shall have power to prescribe and regulate the course of studies to be pursued in said institution; to fix the rate of tuition, and other expenses; to make rules for the regulation of the conduct of the students and for the expulsion of such as are disorderly; they shall faithfully apply all funds by them collected or received, according to their best judgment, in erecting suitable buildings; supporting the necessary officers, instructors and agents, in procuring books and apparatus necessary to the success of the institution: *Provided however*, That in case any donation or bequest be made for purposes which accord with the design of the institution, the trustees shall receive and accept the same, and shall apply such donation or bequest in conformity with the conditions or designs of the donor; and all corporate property belonging to the institution, both real and personal is, and shall be free from taxation.

SEC. 12. The board of trustees may meet on their own adjournment, any seven of whom shall constitute a quorum for the transaction of business, and the president, with the concurrence of two trustees, or any four trustees, may call special meetings of the board, by giving notice to the members thereof in writing or otherwise, at least ten days before the time of such meeting; and any trustees may be removed for a neglect of duty for more than one year.

Meetings of Trustees.

SEC. 13. The trustees of the University shall have power to establish a preparatory department, to raise, collect and receive funds, to erect buildings, appoint a principal, professors, and to do all necessary acts for the establishing, maintaining and conducting of the Preparatory department, and all appointments and officers of said department to be governed by this charter. This act shall be construed liberally in all courts for the purposes herein expressed.

Preparatory Department.

SEC. 14. Any three of the corporators named in this act, may call the first meeting of the trustees, by giving two weeks notice of the time and place of such meeting, and in one or more newspapers published in this territory.

First Meeting.

N. C. D. TAYLOR,  
*Speaker of the House of Representatives.*  
S. B. OLMSTEAD,  
*President of the Council.*

APPROVED—March third, one thousand eight hundred and fifty-four.

W. A. GORMAN.  
SECRETARY'S OFFICE,  
Saint Paul, April 3d, 1854. }

I hereby certify the foregoing to be a correct copy of the original act on file in this office.

J. TRAVIS ROSSER,

*Secretary of the Territory of Minnesota*